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**VIA HAND DELIVERY**

The Honorable Miriam Cedarbaum  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street - Room 1330  
New York, New York 10007

**MEMORANDUM**

**Re: *Shahriar et al. v. Smith & Wollensky Restaurant Group, et al.*  
(08 Civ. 0057 (MGC/DCF))**

Dear Judge Cedarbaum:

We represent Defendants ("PAC") in this matter. The purpose of this letter is to request (with Plaintiffs' counsel's consent) that the Court defer consideration of Plaintiffs' pending Motion to Dismiss all State Law Claims Without Prejudice for at least thirty (30) days.

In support of this request we note that the parties have in recent days renewed their discussions respecting settlement, and they are hopeful of resolving this case in its entirety shortly.

If, however, the parties are unable to negotiate a settlement within the next thirty (30) days (or on or before September 16, 2010), PAC respectfully requests that the Court provide it with fourteen (14) days to file an opposition to Plaintiffs' pending motion.

Thank you for your consideration.

Respectfully submitted,

A. Michael Weber

cc: D. Maimon Kirschenbaum, Esq. (via e-mail: maimon@JHLLP.com)

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Request granted.  
So ordered. 3/

United States District Judge  
September 13, 2010